

**REMARKS**

**Claims 1, 5, 6, 12, 16, 17, 23, 26-28, and 30-33** are amended to further clarify that which is being claimed.

**Claims 34-36 are canceled without prejudice.**

**Claims 1-33 are pending.**

## **ALLOWABLE SUBJECT MATTER**

**Claims 6-9, 17-20 and 28-31** are noted as being objected to, but allowable if rewritten in independent form. Applicant thanks the Office for this indication of allowance.

35 U.S.C. §112

Claims 23-33 stand rejected under 35 U.S.C. §112, first paragraph, as allegedly containing subject matter that was not described in the specification in such a way to enable one skilled in the art to make and/or use the invention. More specifically, the Office Action alleges that the term “logic” renders the rejected apparatus claims as single means claims of undue breadth in accord with In re Hyatt, 708 F.2d 712, 714-715, 218 USPQ 195, 197 (Fed. Cir. 1983).

The Applicants do not agree with these allegations and reserve all rights to traverse any or all of these allegations in the future in this or any related or continuing patent applications and/or other legal matters associated therewith. To further prosecution in the present matter, however, independent Claim 23 and dependent claims 26-28, and 30-33 have been amended to specify that at least one “processing unit” is configured to perform the recited logical operations as clearly

1 described in detail in the specification. Hence, the term "logic" is no longer  
2 recited in Claims 23-33.

3 Consequently, it is respectfully requested that the rejections be reconsidered  
4 and withdrawn.

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6 **35 U.S.C. §102**

7 **Claims 1-5, 10, 12-16, 21, 23-27, 32, 34, and 35** stand rejected under 35  
8 U.S.C. §102(b) as being anticipated by Shum et al. in an article titled "Stereo  
9 Reconstruction From Multiperspective Panoramas".

10 **Claims 34 and 35** are canceled without prejudice, and hence the rejection  
11 thereto is moot.

12 To further prosecution in the present matter, independent **claims 1, 12, and**  
13 **23** have been amended to include applicable allowable subject matter of dependent  
14 claims 6, 17 and 28, respectively. Accordingly, these claims are now in condition  
15 for allowance. Remaining **dependent claims 2-5, 10, 13-16, 21, 24-27, and 32**  
16 depend directly or indirectly from respective base claims 1, 12, and 23, and are  
17 allowable by virtue of this dependency.

18 Applicant respectfully requests that the §102 rejection be reconsidered and  
19 withdrawn.

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21 **35 U.S.C. §103**

22 **Claims 11, 22, 33 and 36** stand rejected under 35 U.S.C. §103(a) as being  
23 unpatentable over Shum et al. ("Stereo Reconstruction From Multiperspective  
24 Panoramas") in view of U.S. Patent No. 6,674,911 issued to Pearlman et al.

**Claim 36** is canceled without prejudice, and thus the rejection thereto is moot.

**Claims 11, 22, and 33** depend from claims 1, 12, and 23, respectively. As noted above, these base claims 1, 12, and 23 are amended to include allowable subject matter and hence are in condition for allowance. Claims 11, 22, and 33 are therefore allowable by virtue of their dependency on these base claims.

Applicant respectfully requests that the §103 rejection be reconsidered and withdrawn.

## **CONCLUSION**

All pending claims 1-33 are allowable over the cited art. Applicant respectfully requests reconsideration and allowance of the subject application. If any issue remains that would prevent issuance of a notice of allowance, the Office is urged to contact the undersigned attorney.

Respectfully Submitted,

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